

### **REMARKS**

Claims 1-18 were reported in the Office Action as pending. Claims 19-23 are withdrawn from consideration. Claims 1-18 are rejected. Claims 1, 2, 4, 12 and 18 have been amended. Claims 1-18 remain.

Reconsideration of the pending claims is respectfully requested in view of the above amendments and the following remarks.

It is asserted in the Office Action that Claim 1 is rejected under 35 USC 112, second paragraph, as having an insufficient antecedent basis for the limitation “the radio frames” in the claim. In response, Applicant has amended Claim 1 as requested by the Examiner.

Accordingly, reconsideration and withdrawal of the rejection to Claim 1 under 35 USC 112, second paragraph is respectfully requested.

It is asserted in the Office Action that Claims 1-3, 10-14 and 16-18 are rejected under 35 USC 102(b) as being anticipated by Ohlson et al. (U.S. Pat. No. 6,222,828).

In response, Applicant has amended Claims 1, 2, 4, 12 and 18. Support for the amendments can be found in the specification at least at page 15, 1<sup>st</sup> paragraph.

Applicant notes that Ohlson fails to teach or suggest at least the amended limitation which includes sharing the same orthogonal spreading code among beams and among users. The amended limitation to claim 1 currently recites,

a multicarrier satellite system using a packet-switching method, wherein downlink beams of a satellite share a same orthogonal spreading code for transmitting packets to the mobile stations among beams by synchronizing and transmitting signals of all beams, and wherein downlink beams of the satellite have a frame structure that shares the orthogonal spreading codes among users.

Ohlson teaches a satellite system where a unique code assigned to each subscriber/terminal. Ohlson discloses a conventional satellite mobile communications system that uses unique orthogonal CDMA (ODS-CDMA) codes to discriminate among different users or physical channels within a cell or beam to minimize multiple access interference between terminals thereby increasing the number of terminals which may be supported per unit of allocated bandwidth. These ODS-CDMA codes are uniquely assigned to each subscriber channel (or terminal). For example, Ohlson states, [d]uring operation, each subscriber channel is assigned a unique code word from the set of length 80 orthogonal codewords.

Ohlson, col. 8, lines 33-34 (emphasis added). Ohlson further states,

each subscriber channel (or circuit) is assigned one code from a set of orthogonal Quadratic Residue codes.

Id., at col. 15, lines 1-3. However, the amended limitations specifically recite “wherein downlink beams of a satellite share a same orthogonal spreading code set for transmitting packets to the mobile stations among beams by synchronizing and transmitting signals of all beams, and wherein downlink beams of the satellite have a frame structure that shares the orthogonal spreading codes among users.”

Accordingly, Applicant believes the amended limitations overcome the Ohlson reference.

It is asserted in the Office Action that Claims 4-5, and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,222,828 issued to Ohlson et al. (“Ohlson”) in view of U.S. Patent No. 6,483,553 issued to Jung (“Jung”).

Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,222,828 issued to Ohlson et al. (“Ohlson”) in view of U.S. Patent Publication No. 2002/0172180 issued to Hall et al. (“Hall”).

In response to the above rejections under 35 USC 103(a), Applicant respectfully asserts that since Claims 4, 5, 7 and 8 depend directly or indirectly on Claim 1, are also patentable over the references cited by the Examiner for the same reason given above.

Accordingly, withdrawal of the rejections to Claims 4, 5, 7 and 8 is respectfully requested.

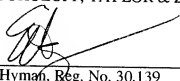
In view of the foregoing, it is believed that all claims now pending, namely Claims 1-18, patentably define the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date.

If there are any fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. If a telephone interview would expedite the prosecution of this Application, the Examiner is invited to contact the undersigned at (310) 207-3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Dated: 11/5/08

  
Eric Hyman, Reg. No. 30,139

1279 Oakmead Parkway  
Sunnyvale, CA 94085-4040  
(310) 207-3800

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Linda Metz

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